

VZCZCXRO7921
RR RUEHCHI RUEHDT RUEHHM RUEHNH
DE RUEHHI #0992/01 1181012
ZNR UUUUU ZZH
R 281012Z APR 06
FM AMEMBASSY HANOI
TO RUEHC/SECSTATE WASHDC 1680
INFO RUEHHM/AMCONSUL HO CHI MINH CITY 1060
RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGV/USMISSION GENEVA 1079

UNCLAS SECTION 01 OF 02 HANOI 000992

SIPDIS

SENSITIVE
SIPDIS

STATE FOR EAP/MLS and PRM

E.O. 12958: N/A
TAGS: [PREL](#) [PGOV](#) [PHUM](#) [PREF](#) [VM](#) [CB](#)
SUBJECT: UNHCR ASSISTANT COMMISSIONER IN VIETNAM

Ref: A) Phnom Penh 767; B) Hanoi 584 and previous

HANOI 00000992 001.2 OF 002

Summary

1. (SBU) UNHCR's Assistant Commissioner for Protection Erika Feller visited Gia Lai Province April 26-27 and met Vice Foreign Minister Nguyen Phu Binh April 28. While in Gia Lai, she met with six returnees (including two individuals who were singled out by Human Rights Watch), who described their reasons for crossing into Cambodia as strictly economic and who had no complaints about their treatment since returning to Vietnam. Based on her direct observations and understanding, the situation in the Central Highlands is "not essentially a refugee producing one," she said. Meeting with VFM Binh, she suggested working-level discussions on the issues of UNHCR access to detained returnees, more streamlined procedures for arranging monitoring visits and addressing accusations of mistreatment when they arise. On the subject of Khmer Krom in southern Vietnam, VFM Binh said that the GVN is prepared to allow 9,700 of these individuals access to Vietnamese nationality. Although the Tripartite MOU has "run its course," it has left in place a useful framework with which the GVN also appears to be comfortable, she said. End Summary.

2. (SBU) During meetings with Pol/C and, separately, interested diplomatic representatives on April 28, Assistant Commissioner Feller discussed her visit to Gia Lai Province and subsequent meeting with Vice Foreign Minister Nguyen Phu Binh. She was accompanied by: Regional Representative Hasim Utkan; Jennifer Pagonis, Deputy Head of International Protection Section, UNHCR HQ; Mr. Jon Hoisaeter, Executive Assistant to Ms. Feller; and, Mr. Vu Anh Son, Hanoi Chief of Mission. Assistant Commissioner Feller described her visit to Vietnam as an assessment of the Tripartite MOU among Vietnam, Cambodia and UNHCR, which she negotiated and signed over a year ago. Her belief is that signing the MOU was the right thing to do considering its success in addressing the needs of ethnic minorities who had entered Cambodia and returned to Vietnam. It was also the right thing to do because of its contribution to a considerable improvement in UNHCR's relations with Vietnam and, to a lesser extent, with Cambodia. The MOU is not perfect, as no compromise document ever is, but it was also not difficult to justify, she said. Based on her direct observations and understanding of the situation, the situation in the Central Highlands is "not essentially a refugee producing one," she said.

Gia Lai Province

13. (SBU) During the Assistant Commissioner's two-day visit to Gia Lai Province, she met with the People's Committee chairman and six returnees, two of whom U.S. Mission monitoring teams had previously met. (Note: Vietnam Chief of Mission Vu Anh Son promised to provide us with further details, including the names of the six. End Note.) This group of six included both voluntary and involuntary returnees, and the UNHCR team was able to secure a number of private interviews. All six returnees said that they departed Vietnam for Cambodia for economic reasons, Feller said. They wanted to return to Vietnam because they were disappointed with the situation in Cambodia and missed their families. None of the returnees indicated a desire to be resettled to the United States or elsewhere. When asked who told them their economic prospects would be better in Cambodia, the returnees responded that "people" came to their village and told them. According to Feller, neither religion nor land issues were raised as the "proximate reasons" for the six wanting to leave Vietnam.

14. (SBU) None of the six indicated that they had been harassed or discriminated against by local authorities after returning to Vietnam, Feller continued. Two of the individuals she met had been singled out by Human Rights Watch as having suffered mistreatment. They both denied being mistreated and questioned the origins of these "rumors." In fact, in Gia Lai, there appeared to be signs of "positive discrimination," in which returnees receive rice and other goods. In the case of one individual, the local authorities had helped him to find employment at a State-owned rubber plantation. In another case, the authorities helped a returnee to buy back the land that he had sold prior to leaving for Cambodia.

15. (SBU) During her meeting with the Gia Lai People's Committee chairman, the Assistant Commissioner pressed for

HANOI 00000992 002.2 OF 002

access to one returnee who is now under detention. The official would not say anything about the case save that this person is under investigation for "receiving money to take people to Cambodia." Notably, the chairman expressed some frustration with the number of monitoring visits, Feller said. In her briefing for the diplomatic corps, the Assistant Commissioner suggested that monitoring could indeed be disruptive to individuals who are trying to reintegrate and lead normal lives, but UNHCR will continue its monitoring with the goal of interviewing 100 percent of the returnees (UNHCR calculates that, over 11 missions to date, it has met 64 percent of the returnees).

Meeting with VFM Binh

16. (SBU) During her "positive" meeting with Vice Foreign Minister Nguyen Phu Binh, the Assistant Commissioner suggested working-level discussions on the issues of UNHCR access to detained returnees, more streamlined procedures for arranging monitoring visits and addressing accusations of mistreatment when they arise. There has to date only been one individual detained since his return from Cambodia, but because he was returned to Vietnam under the auspices of the MOU, UNHCR still considers him to be a person of concern. VFM Binh agreed that these working-level discussions would be possible, she said.

17. (SBU) Feller also raised with VFM Binh the issue of stateless Khmer Krom in southern Vietnam. VFM Binh said that the GVN is prepared to allow 9,700 of these individuals access to Vietnamese nationality. For its part, Cambodia agreed to cooperate to provide in groups or individually assurances that these people are not Cambodian citizens, Feller related.

MOU Has Run Its Course

18. (SBU) Feller said that the Tripartite MOU "has run its course," but it remains a valuable and important framework for responding to issues in the Central Highlands. The document has attained a weight at the local level beyond what was envisaged and remains a good tool for discussion and training purposes. The Assistant Commissioner said that the GVN appears comfortable with the modus vivendi that is now in place, and UNHCR believes that it remains an "adequate framework" for working with the Government. However, UNHCR has to be on guard to ensure that people do not get the impression that the end of the MOU means the end of the problems it was created to address.

MARINE